

EDUCATIONAL EXAMINERS BOARD[282]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 272.2(1)“a,” the Board of Educational Examiners hereby gives Notice of Intended Action to amend Chapter 1, “General,” Chapter 11, “Complaints, Investigation, Contested Case Hearings,” Chapter 12, “Fees,” Chapter 13, “Issuance of Teacher Licenses and Endorsements,” Chapter 18, “Issuance of Administrator Licenses and Endorsements,” Chapter 20, “Renewals,” and Chapter 22, “Authorizations,” Iowa Administrative Code.

The proposed amendments concern inconsistencies and unnecessary language identified during a review of the Board’s rules. These amendments would correct language regarding appointment of the Board’s Executive Director, prohibit withdrawal of ethics complaints that are reported pursuant to the mandatory reporting requirements under Iowa Code section 272.15, remove fees no longer collected, and make other minor corrections.

Any interested person may make written comments or suggestions on the proposed amendments before 4 p.m. on Friday, May 5, 2017. Written comments and suggestions should be addressed to Kim Cunningham, Board Secretary, Board of Educational Examiners, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa 50319-0147; or sent by e-mail to kim.cunningham@iowa.gov; or by fax to (515)281-7669.

Any interested party or persons may present their views either orally or in writing at the public hearing that will be held Wednesday, May 3, 2017, at 1 p.m. in Room 3SW, Grimes State Office Building, East 14th Street and Grand Avenue, Des Moines, Iowa.

At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments. Persons who wish to make oral presentations at the public hearing may contact the Executive Director, Board of Educational Examiners, at the above address, or at (515)281-5849, prior to the date of the public hearing.

Any person who intends to attend the public hearing and requires special accommodations for specific needs, such as a sign language interpreter, should contact the office of the Executive Director at (515)281-5849.

These amendments are subject to waiver pursuant to 282—Chapter 6.

After analysis and review of this rule making, there is no anticipated impact on jobs.

These amendments are intended to implement Iowa Code section 272.2(1)“a.”

The following amendments are proposed.

ITEM 1. Amend rule 282—1.2(272,17A) as follows:

282—1.2(272,17A) Organization and method of operation.

1.2(1) and 1.2(2) No change.

1.2(3) *Executive director.* ~~The executive director is appointed by the board and acts as executive head of the agency.~~ The governor shall appoint an executive director of the board subject to confirmation by the senate. The executive director shall possess a background in education licensure and administrative experience and shall serve at the pleasure of the governor. The executive director acts as executive head of the agency and is responsible for the administration of the board.

1.2(4) and 1.2(5) No change.

This rule is intended to implement Iowa Code chapter 272.

ITEM 2. Amend rule 282—11.4(17A,272) as follows:

282—11.4(17A,272) Complaint.

11.4(1) to 11.4(3) No change.

11.4(4) *Amendment or withdrawal of complaint.* A complaint or any specification thereof may be amended or withdrawn by the complainant at any time, unless the complaint was filed in accordance with the mandatory reporting requirements set forth in Iowa Code section 272.15(1). The parties to a complaint may mutually agree to the resolution of the complaint at any time in the proceeding prior to issuance of a final order by the board. The resolution must be committed to a written agreement and filed with the board. The agreement is not subject to approval by the board, but shall be acknowledged by the board and may be incorporated into an order of the board.

11.4(5) to 11.4(9) No change.

ITEM 3. Amend rule 282—12.3(272) as follows:

282—12.3(272) Evaluation fee. Each application from an out-of-state institution for initial licensure shall include, in addition to the basic fee for the issuance of a license, a one-time nonrefundable \$60 evaluation fee. ~~Each application or request for a statement of professional recognition shall include a one-time nonrefundable \$60 evaluation fee.~~

ITEM 4. Amend rule 282—12.6(272) as follows:

282—12.6(272) Late fees.

12.6(1) An additional fee of \$25 per calendar month, not to exceed \$150, shall be imposed if an application for renewal or conversion ~~of a Class A, B, or E license or a statement of professional recognition (SPR)~~ is submitted after the date of expiration of a practitioner's license. Waiver of the late fee will be granted only upon a showing of extraordinary circumstances rendering imposition of the fee unreasonable.

12.6(2) and 12.6(3) No change.

ITEM 5. Amend rule 282—12.8(272) as follows:

282—12.8(272) Portfolio review and evaluation fees fee. ~~The fee for review and evaluation of an applicant portfolio is set as follows:~~

~~**12.8(1)** For the professional education core, the portfolio review and evaluation fee shall be \$500.~~

~~**12.8(2)** For content endorsement, the portfolio review and evaluation fee shall be \$250.~~

ITEM 6. Amend rule 282—13.17(272) as follows:

282—13.17(272) Specific requirements for exchange licenses.

13.17(1) *Teacher exchange license.*

a. For an applicant applying under 13.5(2), a ~~one-year~~ two-year nonrenewable exchange license may be issued to the applicant under any of the following conditions:

(1) to (3) No change.

b. No change.

13.17(2) and 13.17(3) No change.

ITEM 7. Amend rule 282—18.4(272) as follows:

282—18.4(272) General requirements for an administrator license.

18.4(1) to 18.4(3) No change.

18.4(4) *Specific requirements for an initial administrator license for applicants who have completed a professional service endorsement.* An initial administrator license valid for one year may be issued to an applicant who:

a. to e. No change.

f. Has completed the professional education core in 281—paragraphs ~~79.15(5) “b”~~ 79.15(5) “a” to “k”; and

g. No change.

ITEM 8. Amend rule 282—18.6(272) as follows:

282—18.6(272) Specific requirements for an administrator prepared out of state. An applicant seeking Iowa licensure who completes an administrator preparation program from a recognized non-Iowa institution shall verify the requirements of rules 282—18.1(272) and 282—18.4(272) through traditional course-based preparation program and transcript review. A recognized non-Iowa administrator preparation institution is one that is state-approved and is accredited by the regional accrediting agency for the territory in which the institution is located. Applicants must hold and submit a copy of a valid or expired regular administrator certificate or license in the state in which the preparation was completed, exclusive of a temporary, emergency or substitute license or certificate.

18.6(1) Administrator exchange license. A one-year nonrenewable administrator exchange license may be issued to an individual who has not met any of the following requirements:

a. Professional core requirements. The applicant has not completed all of the required courses in the professional core in 281—subrules 79.15(2) and 79.15(3) and 281—paragraphs ~~79.15(5) “b”~~ 79.15(5) “a” to “k.”

b. to d. No change.

18.6(2) No change.

ITEM 9. Amend rule 282—20.8(272) as follows:

282—20.8(272) Specific renewal requirements for the initial administrator license. In addition to the provisions set forth in this rule, an applicant must meet the general requirements set forth under rule 282—20.3(272).

20.8(1) Requirements. If an applicant meets all requirements for the professional administrator license except for the requirements in 282—subrule ~~18.4(1)~~ 18.5(3), the initial administrator license may be renewed upon written request. A second renewal may be granted if the holder of the initial administrator license has not met the requirements in 282—subrule ~~18.4(1)~~ 18.5(3) and if the license holder can provide evidence of employment as a PK-12 administrator, which meets the experience requirement.

20.8(2) No change.

ITEM 10. Amend rule 282—22.3(272) as follows:

282—22.3(272) School business official authorization.

22.3(1) to 22.3(5) No change.

22.3(6) Validity.

a. The initial school business official authorization shall be valid for two years ~~from the date of issuance.~~

b. The standard school business official authorization shall be valid for three years, ~~and it shall expire three years from the date of issuance on the last day of the practitioner’s birth month.~~

22.3(7) to 22.3(9) No change.

ITEM 11. Amend rule 282—22.5(272) as follows:

282—22.5(272) Preliminary native language teaching authorization.

22.5(1) to 22.5(3) No change.

22.5(4) Validity. This authorization is valid for three years. ~~No Class B licenses conditional licenses may be issued to applicants holding the preliminary native language teaching authorization. No additional endorsement areas may be added unless the requirements in 22.5(3) are met.~~

22.5(5) to 22.5(8) No change.